

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

2004 AUG -3 P 1:19

WILLIAM FREEMAN,
Plaintiff

V.

TREMONT HEALTH SERVICES, INC.
and **ANDREW MITCHELL**
Defendants

U.S. DISTRICT COURT
DISTRICT OF MASS

Civil Action No.
04-10075-NG

AFFIDAVIT OF WILLIAM FREEMAN

1. My name is William Freeman and I am the plaintiff in this case. I was also the plaintiff in a prior case entitled Freeman v. Tremont Medical, Inc., Case No. 02-10757-RGS (D. Mass.). Both cases involved my claim for breach of an employment agreement. The prior case was dismissed after the parties entered into a Settlement Agreement. The employment agreement and the Settlement Agreement are attached to the Complaint as Exhibits A and C.
2. The total amount due under my employment agreement was consistently alleged to have been \$185,716.41. The Settlement Agreement permitted the Company to pay less (\$100,000.00) than the total amount due but permitted me to re-institute the action if the full \$100,000.00 payment was not made.
3. The Company paid a total of \$41,000.00 under the Settlement Agreement.
4. The total due under the employment agreement is \$144,716.41.
5. The defendant, Tremont Health Services, Inc. is neither an infant, an incompetent nor a person subject to the Soldiers and Sailors Relief Act.
6. This affidavit is submitted in support of my motion for default judgment.

**SIGNED AND SUBSCRIBED PURSUANT TO THE PAINS AND PENALTIES
OF PERJURY THIS 15 DAY OF JULY, 2004**

William Freeman